

# KNOX COUNTY COMMISSION

## Regular Meeting

Tuesday – July 14, 2009 – 4:00 p.m.

The regular monthly meeting of the Knox County Commission was held on Tuesday, July 14, 2009, at 4:00 p.m., at the county courthouse, 62 Union Street, Rockland, Maine. Administrative Assistant Candice Richards was present to record the minutes of the meeting.

Commission members present were: Anne Beebe-Center, Commissioner District #1, Richard L. Parent, Jr., Commissioner District #2, and Roger A. Moody, Commissioner District #3. County staff present included: County Administrator Andrew Hart, Administrative Assistant Candice Richards, Airport Manager Jeff Northgraves, Finance Director Kathy Robinson, Jail Administrator John Hinkley, Sheriff Donna Dennison, and EMA Director Ray Sisk.

Also present were: Roger Lichtman of The Lichtman Associates; Ann Matlack, Chair of KWRED (*arrived at 4:59 p.m.*).

Regular Meeting – Agenda		
Tuesday – July 14, 2009 – 4:00 p.m.		
I.	4:00	Meeting Called To Order
II.	4:05	Public Comment - Public Comment during other portions of the meeting will only be granted by permission of the chair.
III.	4:20	Consent Items
		1. Approve Consent Items as Presented:
		i. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
		ii. Approve Minutes of Special Meeting with Municipalities of June 4, 2009.
		iii. Approve Minutes of Special Meeting Work Session of June 9, 2009.
		iv. Approve Minutes of Regular Commission Meeting of June 9, 2009.
		v. Approve Minutes of Special Meeting of June 11, 2009.
		vi. Accept Monthly Written Departmental Reports.
		vii. Approve Reserve Withdrawals.
		viii. Approve Budget Line Transfers.
IV.	4:25	Action Items
		1. Act to Postpone Decision of Tax Abatement Appeal: Thomaston Auction Properties, LLC vs. Thomaston Board of Assessors until the Regular Commission Meeting on August 11, 2009 (A. Hart).
		2. Act on Approval of the FFY 2010 EMA Strategic Work Plan (R. Sisk).
		3. Act to Appoint a Commissioner to the MCCA Board.
		4. Act to Appoint a Commissioner to the Labor Relations Management Team.
		5. Act on Approval of Family Day Proclamation (A. Hart).
		6. Act on Approval of Contract for Sheriff’s Deputy Services for the Town of Vinalhaven 2009 – 2010 (D. Dennison, A. Hart).
		7. Act to Authorize the Airport Manager to Solicit a Part-Time Maintenance Worker and Authorize the Use of Airport Surplus Funds to Cover Any Additional Costs Not Absorbed by the Current Budget (J. Northgraves).
		8. Act to Appoint a Commissioner to Act as the MC/Moderator at the Public Information Meeting on August 20, 2009 at the Owls Head Transportation Museum (J. Northgraves).
		9. Act to Approve and Sign Collective Bargaining Agreement Between AFSCME Council 93 and County of Knox (A. Hart).
V.	4:45	Discussion Items
		1. Discuss Proposal from The Lichtman Associates/QA13 for Site Criteria, Analysis and Selection for the New Knox County Public Safety Building (A. Hart).
		2. Discuss Surrendering the Airport’s Part 139 Certification (J. Northgraves).
		3. Discuss Becoming the Fiscal Agent for KWRED.
VI.	5:25	Other Business
VII.	5:35	Executive Session
		1. Convene in Executive Session to discuss a Personnel Matter pursuant to 1 M.R.S.A. §405(6) (A).
VIII.	5:55	Adjourn

I. Meeting Called to Order  
Commission Chair Anne Beebe-Center called the July 14, 2009 regular meeting of the Knox County Commission to order at 4:00 p.m.

II. Public Comment

Commissioner Anne Beebe-Center asked for public comment. There was none.

III. Consent Items

1. Approve Consent Items as Presented:
- i. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
  - ii. Approve Minutes of Special Meeting with Municipalities of June 4, 2009.
  - iii. Approve Minutes of Special Meeting Work Session of June 9, 2009.
  - iv. Approve Minutes of Regular Commission Meeting of June 9, 2009.
  - v. Approve Minutes of Special Meeting of June 11, 2009.
  - vi. Accept Monthly Written Departmental Reports.
  - vii. Approve Reserve Withdrawals.
  - viii. Approve Budget Line Transfers.
- A motion was made by Commissioner Roger Moody to approve the consent items as presented. He commented that a discussion of the meeting time of the Commission and the concerns of the department heads will be on next agenda after Commissioner Anne Beebe-Center finds out what her work schedule will be. He added that the move to 4 p.m. was an experiment but that public involvement is limited.
  - The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

Commissioner Roger Moody asked a question about the overtime transfers.

Finance Director Kathy Robinson stated that the finance office transfers more than just the immediate need because it saves from having to do it again later. KRCC has had openings so they’ve had overtime.

Commissioner Roger Moody asked if the County needed to change the way it budgets.

Finance Director Kathy Robinson replied that it depends on if there are openings and how many shifts are being filled. She added that it was not an easy yes or no.

Reserve Withdrawals:

Contingency Expense	20000812700	\$3,738.99
DARE	30000810070	\$363.92
Forfeiture Money - State	20000812870	\$7,831.00
Jail Improvement	20000812830	\$955.00
Legal Expense	20000812650	\$15,931.33
	Total	\$28,820.25

Budget Line Transfers:

FROM:			TO:		
Airport Liability Insurance	416004-54425	242.00	Medical Exams	416004-54550	242.00
Airport Gas, Oil, Grease	416004-54650	500.00	Computer Repairs	416004-54585	500.00
Communications Meals	518004-54110	29.00	Lodging	518004-54115	29.00
Communications Supervisors	518003-53811	7,000.00	Overtime	518003-53800	30,000.00
Communications Dispatchers	518003-53812	23,000.00			
EMA Radio Repairs	002004-54580	100.00	Repairs & Equipment	002004-54575	400.00
EMA Lodging	002004-54115	200.00			
EMA Computer Repairs	002004-54585	100.00			
Finance Lodging	005004-54115	300.00	Auto Mileage	005004-54105	100.00
Finance Equipment Repairs	005004-54575	80.00	Computer Repairs	005004-54585	280.00
Jail Equipment Repairs	008004-54575	949.00	Medical Exams	008004-54550	949.00
Jail Administrator	008003-53280	2,000.00	Part Time	008003-53820	6,500.00
Asst. Jail Administrator	008003-53281	2,500.00	Heating Repairs	008004-54610	148.00
Jail Programs Officer	008003-53282	2,000.00	Computer Supplies	008005-55385	99.00
Jail Plumbing Repairs	008004-54615	148.00			
Jail Office Supplies	008004-55335	99.00			
Probate Training & Seminars	010004-54545	53.00	Microfilming	010004-54665	53.00
Sheriff Part Time	011003-53820	5,000.00	Holiday Overtime	011003-53805	6,700.00

Sheriff Patrol Administrator	011003-53312	5,000.00	Overtime	011003-53800	30,000.00
Sheriff Lodging	011004-54115	1,098.00			
Sheriff Training	011004-54545	1,195.00			
Sheriff Gas, Oil, Grease	011004-54650	10,000.00			
Sheriff Auto Repair	011004-54655	3,000.00			
Sheriff Airline	011004-54690	1,000.00			
Sheriff Emergency Transport	011004-54700	1,320.00			
Sheriff Criminal. Inv. Equip.	011004-54730	305.00			
Sheriff Food Groceries	011005-55104	300.00			
Sheriff Safety Supplies	011005-55305	1,000.00			
Sheriff Uniforms	011005-55405	5,000.00			
Sheriff New Empl. Uniforms	011005-55406	2,482.00			
Total:		\$76,000.00	Total:		\$76,000.00

#### IV. Action Items

1. Act to Postpone Decision of Tax Abatement Appeal: Thomaston Auction Properties, LLC vs. Thomaston Board of Assessors until the Regular Commission Meeting on August 11, 2009 (A. Hart).

- A motion was made by Commissioner Richard Parent to postpone the decision of the tax abatement appeal: Thomaston Auction Properties, LLC vs. Thomaston Board of Assessors, until the Regular Commission Meeting on August 11, 2009. The motion was seconded by Commissioner Roger Moody.

County Administrator Andrew Hart commented that he had received a request from the taxpayer to postpone the Commission's decision because the taxpayer will be meeting with the town at the end of the month. Depending on what happens at that meeting, the taxpayer may not need an abatement from the Commission.

- A vote was taken with all in favor.

2. Act on Approval of the FFY 2010 EMA Strategic Work Plan (R. Sisk).

- A motion was made by Commissioner Richard Parent to approve the FFY 2010 EMA Strategic Work Plan. The motion was seconded by Commissioner Roger Moody.

EMA Director Ray Sisk explained that the work plan outlines what he would like to get done this year. The work plan is a necessary requirement of the grant package which funds 50 percent of EMA's operation. EMA directors are expected to use their work plan. In past, the EMA Strategic Work Plan has been developed without much Commission input. Mr. Sisk stated that he wanted endorsement and support from the Commission for his work plan. As an example of the work plan's usefulness, Mr. Sisk stated that when the State was questioning helping to pay for the QA13 Space Needs study, the Planning and Support (item #7) section of the work plan provided the supporting information for the project.

Commissioner Anne Beebe-Center asked if Commission support of the work plan gave the County give more credibility at the State level.

Mr. Sisk stated that the State would take it without Commission endorsement but that he felt that the relationship between the Commission and EMA is important. He added that he needed to know that the Commission supported him.

Commissioner Anne Beebe-Center commented that Mr. Sisk had mentioned before that there is an active role for Commissioners in the work plan. She asked for examples.

Mr. Sisk responded that he was mainly referring to large scale emergencies. He stated that the Swine Flu has not gone away, and that if it became more widespread, the County would need positive leadership in managing those types of issues. He commented that State statute does not give the Commission quite the same powers that towns are given, but that the Commission still needs to be involved. Towns need to set the policies for emergency management in their towns. Some things on the plan are new, such as training. The EMA office will help with large-scale emergencies and events to support incident commanders to help them be more efficient and effective.

Commissioner Roger Moody and Commissioner Anne Beebe-Center both thanked Mr. Sisk for including the Commission in the work plan so that they are aware of the plan, what is going on, and how emergencies will be dealt with.

Commissioner Anne Beebe-Center asked Mr. Sisk to explain some of the acronyms. She then asked him if he wanted a letter from the Commission to be sent with the work plan.

Mr. Sisk stated that that signing his original copy of the work plan would be sufficient.

- A vote was taken with all in favor.

3. Act to Appoint a Commissioner to the MCCA Board.

Commissioner Anne Beebe-Center explained that she has resigned from the MCCA Board effective the August meeting and it's very important that Knox have representation at that meeting.

Commissioner Roger Moody stated that he attends the MCCA Risk Pool which meets at the same place, an hour earlier, and would be willing to take on the additional task.

- A motion was made by Commissioner Richard Parent to appoint Commissioner Roger Moody to the MCCA Board. The motion was seconded by Commissioner Anne Beebe-Center. A vote was taken with all in favor.

4. Act to Appoint a Commissioner to the Labor Relations Management Team.

Commissioner Anne Beebe-Center stated that there are two more articles of the contract to be discussed and worked through but that she will no longer be representing the County by attending the meetings.

Commissioner Roger Moody stated that he had sat in on part of one of the meetings and that he was available to go to the next couple of meetings.

- A motion was made by Commissioner Richard Parent to appoint Commissioner Roger Moody to the labor relations management team. The motion was seconded by Commissioner Anne Beebe-Center. A vote was taken with all in favor.

5. Act on Approval of Family Day Proclamation (A. Hart).

County Administrator Andrew Hart stated that the Commission gets a request from the National Center on Addiction and Substance Abuse (CASA) to participate each year in Family Day – A Day to Eat Dinner With Your Children. This is done nationwide. The Commission participated last year by signing a Family Day Proclamation. Family Day is the 4<sup>th</sup> Monday of every September (which is the 29<sup>th</sup> of September this year). The purpose of Family Day is to encourage families to eat meals together. Studies and surveys show that children who spend time with their families in this way are less likely to use drugs or get into trouble.

- A motion was made by Commissioner Roger Moody to approve the Family Day Proclamation. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

Commissioner Richard Parent asked if this would be publicized.

County Administrator Andrew Hart replied that there was a press release that would be sent out later.

6. Act on Approval of Contract for Sheriff's Deputy Services for the Town of Vinalhaven 2009 – 2010 (D. Dennison, A. Hart).

- A motion was made by Commissioner Richard Parent to approve the contract for the Sheriff's Deputy Services for the Town of Vinalhaven 2009 - 2010. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

7. Act to Authorize the Airport Manager to Solicit a Part-Time Maintenance Worker and Authorize the Use of Airport Surplus Funds to Cover Any Additional Costs Not Absorbed by the Current Budget (J. Northgraves).

- A motion was made by Commissioner Richard Parent to authorize the airport manager to solicit a part-time maintenance worker and authorize the use of Airport Surplus Funds to cover any additional costs not absorbed by the current budget. The motion was seconded by Commissioner Roger Moody.

Airport Manager Jeff Northgraves stated that the APAC Business Plan group is working on a staffing plan for the airport. The airport needs someone part time, primarily in the winter. He

stated that he had been advertizing informally and collecting resumes, but now he would like to advertize formally.

Commissioner Anne Beebe-Center asked if the position would be part-time and year-round?

Mr. Northgraves stated that this was correct, but that most of the hours the person would be needed would be in the winter. The person may also be needed in the spring, with limited use during off seasons. The estimated cost for this year would be \$5,000. He stated that he has some FEMA money from the last storm, which has paid for overtime and equipment usage. He added that he did not foresee this position impacting reserves, but that he would like authority to do so if he needed to.

Commissioner Roger Moody asked if by “maintenance” Mr. Northgraves meant snow plowing.

Mr. Northgraves stated that this was correct.

Commissioner Roger Moody asked how the money was being divided up.

Mr. Northgraves stated that some of the money is going into budget lines, with some going into reserve lines. Most of the money is going to repair equipment.

Commissioner Anne Beebe-Center asked Mr. Northgraves if he had anticipated this money coming in.

Mr. Northgraves replied that he had not.

Commissioner Roger Moody asked Finance Director Kathy Robinson if this expenditure would show up as a budget line transfer or a revision to the budget itself.

Finance Director Kathy Robinson replied that some of the money did go into equipment reserve, but once it has been placed in a reserve, it can only be used for a similar function and cannot be used for something different, such as employee overtime. The money will indirectly help pay for this position but the County will not be directly tapping the reserves. She asked if the County would be contracting with the new employee.

Mr. Northgraves stated that he was anticipating that the position would be less than 20 hours a week and therefore would receive no benefits. He added that he needed to start having someone learn more about the airport for future succession.

County Administrator Andrew Hart asked if going forward the position would be built into the budget.

Mr. Northgraves replied that this was correct.

- A vote was taken with all in favor.

8. Act to Appoint a Commissioner to Act as the MC/Moderator at the Public Information Meeting on August 20, 2009 at the Owls Head Transportation Museum (J. Northgraves).

- A motion was made by Commissioner Roger Moody to appoint Commissioner Anne Beebe-Center to act as the MC/Moderator at the Public Information Meeting on August 20, 2009 at the Owls Head Transportation Museum. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

Airport Manager Jeff Northgraves commented that Commissioner Anne Beebe-Center had done this for airport meetings before. He stated that she was the appropriate person, both as the Commission Chair, and as the commissioner over the area that the airport is located in. He started that he was still finalizing the agenda and data to be presented. There will be three more meetings of Business Plan sub-committee before this meeting takes place. He added that he was hoping to have everything ready by the next Commission meeting on August 11<sup>th</sup>.

9. Act to Approve and Sign Collective Bargaining Agreement Between AFSCME Council 93 and County of Knox (A. Hart).

- A motion was made by Commissioner Richard Parent to approve and sign the Collective Bargaining Agreement between AFSCME Council 93 and the County of Knox. The motion was seconded by Commissioner Roger Moody.

County Administrator Andrew Hart provided copies of the bargaining agreement to the Commission and several other meeting attendees so that they could follow along. He briefly went through the agreement and related a few key changes made to the previous agreement. He explained that the recommendation of the mediator was to have the two side letters to explain why the new agreement did not contain the sections on Work Rules and Discipline, Investigation of Outside Complaints, and Disciplinary Hearings. Both the management team and the Union will continue working on those sections. The side letters will be signed by both sides and become the last two pages of the agreement.

Commissioner Anne Beebe-Center commended the management team, County Administrator Andrew Hart, and the labor representatives for doing a good job and for all of the hard work during the long process. She also thanked Finance Director Kathy Robinson for recalculating the numbers every time something was changed.

- A vote was taken with all in favor.

## V. Discussion Items

### 1. Discuss Proposal from the Lichtman Associates/QA13 for Site Criteria, Analysis and Selection for the New Knox County Public Safety Building (A. Hart).

County Administrator Andrew Hart explained that the Lichtman Associates/QA13 had been awarded the RFP/bid in 2008 to do the original Space Utilization and Needs Assessment. A meeting had been held in May to cut back the square footage numbers that the Lichtman Associates/QA13 had in their final report, and/or consolidate space, and to find ways to cut back the overall costs. At that meeting, it was decided to do site selection and analysis on the properties suggested to the County by interested parties. Roger Lichtman had stated at that meeting that he would submit a proposal to do this, which he has done. Administrator Hart added that he was not sure in what direction the Commission wanted to proceed. He stated that Roger Lichtman was in attendance to explain the proposal and answer any questions. He added that he was not sure if the Commission wanted to form a committee to work on this part of the project or not.

Roger Lichtman stated that the meeting in May was to finalize the study by walking through the report. At that time he had stated to Commissioner Parent that he could not write an executive summary for the Final Report until he knew where the County was headed in this process. That raised the question of what will the County do beyond the finalization of the Report. He stated that he did not want to create a report that would be of no use to the County because that would be a waste of money and of everybody's time. He stated that there is a four-pronged approach to the proposal.

1. Site selection and analysis.
2. Setting priorities.
3. Establishment of grant applications - Chris Shrum was working on finding out what the possibilities are for grant funding, including stimulus money.
4. Begin design with options.

Mr. Lichtman stated that to avoid losing momentum, his proposal is to take site selection and analysis portion, the setting of priorities track, as well as the beginning the design with options track, and get that to a point where the Commission can make a decision to start architecture, which would be the beginning of going out to bid and getting something built. The first step, in terms of the site selection, would be to establish the criteria of what the ideal site would be. The next step would be to list County-owned sites and evaluate them for future comparison to other sites. The County would then publicly advertise for sites and see what the public has to offer, and then evaluate those sites. The Lichtman Associates/QA13 would provide the County with the tools to make those decisions. The County would need to then set priorities in terms of budgeting and testing the top two sites in terms of what the concept would be for a full master plan. The only time that it would really cost the County will be when a construction contract is awarded to a contractor. Prior to that is basically soft costs.

Commissioner Anne Beebe-Center asked what Administrator Hart's thoughts were about having a committee. She asked who might be on a committee so that it would be the most effective.

County Administrator Andrew Hart replied that the three department heads, the Dispatch Advisory Board, and the KRCC Executive Board were already operating like a committee. It was the KRCC Executive Board that had suggested to the prior Commission that a needs assessment needed to be done. After seeing the report, they recommended doing something at the current jail site.

Mr. Lichtman stated that it is better to advertize and compare all offered sites. It is entirely possible that someone out there will be willing to offer an acceptable deal that would be cheaper than building on the jail site. It also allows the County to have side-by-side comparisons of the sites, which have been held up to a set criteria, to show that the County gave fair consideration to all offers and show why the sites were eliminated from the list of possible sites. That way, if the County wound up deciding to build on the jail site after all, the County will have done the work to show that it was the best option.

County Administrator Andrew Hart stated that he has already had several people call him claiming that their site is the perfect site for the County, but most of them are leases and the Commission seemed more inclined to own, rather than lease, especially after the Old County Road project.

Commissioner Roger Moody stated that he was still trying to bridge in his mind how to go from the numbers in the report (of about 30,000 square feet) and their associated costs, to what the voters will approve and what the departments can ultimately live with, while still keeping up with the standards that the County needs to comply with. He added that he was not sure how the County could afford a long-rang plan when the voters may not approve the immediate needs being met.

Mr. Lichtman stated that this was exactly what he had been thinking about before attending the meeting back in May. He had asked himself the same question: if the report states what is needed, based on the information provided by the three department heads, how can that be pared back? He stated that the Sheriff's department had helped the numbers some by saying that they could step back, not be a priority, and maybe wait until phase two or three. He stated that there was no wish-listing done when estimating the amount of space needed for the departments. The plans also included sharing training, conference, bathroom, lobby, etc. space, which saves on costs.

Commissioner Richard Parent stated that he was not sure that the County is ready to move forward until the County heard from all of those in the community who want to show their properties as a potential site for the County. He stated that before any designing is done, the County needs to know what the land is that the design is being placed on.

Mr. Lichtman stated that the agreed and that the proposal that he had presented to the Commission is to assist the County going through a site selection process, to solicit the advertisements for all those properties, and then to test the properties. The testing would not be extensive, but rather take the top two or three and develop a concept on those. This would not be architecture, but just a concept. The purpose of the Lichtman Associates/QA13 is to get the County to a point where the County is ready to go ahead with architecture. This proposal does not get to architecture but gets the County to a concept that proves the site works.

Commissioner Richard Parent commented that he had thought that the decision had been made at the May meeting to solicit properties.

Mr. Lichtman stated that the group had agreed that he would send the Commission a proposal, which is the proposal that the Commission now has.

Commissioner Richard Parent stated that he had thought that the County would be the one to solicit properties.

County Administrator Andrew Hart stated that this had been discussed in conjunction with the proposal from Roger Lichtman. The group had not discussed what the criteria would be for properties.

Mr. Lichtman stated that while not impossible, it would be difficult for the County to put the criteria together and evaluate the sites without the Lichtman Associates/QA13.

Commissioner Richard Parent stated that he was not suggesting that the County do this alone, but that the County needs to get a list together of properties and start screening them.

Mr. Lichtman stated that he would suggest doing it a little bit differently. He stated that if you solicit the properties first, then it's not as transparent as if you determine and establish all the criteria first so that you know what you want the advertisement to say. Then when the properties come in, then can be compared to the established criteria. If you solicit properties without an established criteria, there is more room for arguing and disputes with property owners who believe that their property is better than someone else's, when neither of the properties may meet the criteria.

Commissioner Anne Beebe-Center stated that she remembered the discussions from when the Final Report was presented. She asked what relationship the criteria will it have to that report.

Mr. Lichtman replied that the recommendations in the report will establish the criteria for a minimum-sized site. Size, location access, and cost will be the three primary considerations. In addition to that, there is the building, the expansion area, and the parking lot. When looking at a site, the 30,000 square feet has to fit on that site, along with the parking and expansion area.

Commissioner Anne Beebe-Center asked if the County is uncomfortable with the 30,000 square feet because it may not be something that the voters will approve, how would the information from the report be changed so that the criteria can be made smaller?

Mr. Lichtman stated that this was a good question but that the County should not paint itself into a corner. The reality may be that the County can only afford to build 10,000 square feet, but if the County chooses a site without the ability with future expansion, this will prevent the future stages when those will be needed. A criteria needs to be established that fits the total need, both now and in the future, not that it would require the County to build anything further if the County does not want to.

Commissioner Roger Moody stated that he would like to reconvene the department head committee with the County Administrator and Commissioner Richard Parent to draw some conclusions about the amount of square footage needed for near future. As a part of that discussion, before the County decides to build, he wanted to make sure that the County has discussed with neighboring counties what their abilities are to see if the County can completely avoid construction. He added that he was not necessarily in favor of that option but that it needs to be deliberately considered.

Commissioner Anne Beebe-Center asked if it would make sense to include the heads of the KRCC Executive Board and the Dispatch Advisory Committee in the next meeting to discuss square footage. She asked if they were included at all of the previous meetings.

County Administrator Andrew Hart stated that the Executive Board and Advisory Committee had not been invited to all of the meetings. He stated that it depended on what the meeting was about. The Executive Board is for the Knox Regional Communications Center and is made up of about five people. The Dispatch Advisory Committee varies in number based on who attends.

Commissioner Anne Beebe-Center commented that the Dispatch Advisory Committee was very upset when they were not included on the Old County Road project. The County should include both the advisory committee and the executive board to the meetings.

County Administrator Andrew Hart stated that they were upset because they represent the municipalities and are the end users. The County benefits if supported by the two groups.

Commissioner Richard Parent commented that if there are too many people involved, the process will not get anywhere. The County needs a direction first and then bring in the other groups.

County Administrator Andrew Hart commented that there was not a big turn out at the last meeting. The chairman of the Executive Board and only two or three others attended. Some of the members are interested and some are not.

Commissioner Anne Beebe-Center suggested inviting just the chairs of the two groups.

Mr. Lichtman asked to be able to address Commissioner Moody's point. He stated that the findings in the report were not a "wish list" but what was required. He stated that at the meeting in May, the group looked at honing down the numbers. He stated that it *might* be possible to cut back the figures by ten percent. He added that this was why he thought it was a blessing when the Sheriff's Department stepped up and said that they did not need to be a priority and could live with their current space for a few more years. Right now, the total gross square footage is 24,844. The Sheriff's Office is approximately 10,000 square feet (plus about twelve percent) of that. That leaves EMA and Communications which is approximately 6,200 square feet, and EOC and Training which is 5,100 square feet. That is about 11,000 square feet. The rest is facility support, which would be areas like bathrooms, hallways, closets, etc. He stated that his concern was that the County could spend more months cutting back the numbers, but may miss the opportunity to keep the momentum moving. The space study was done so that it could be used and progress could be made. The goal is to get the County to the next step. He stated that if a committee was put together, even if only three people showed up, the most they would be able to cut the numbers back would be about ten percent. He added that while the County is obviously



no where near looking at construction, the market is in a unique situation right now where everything that he has seen being bid is coming in at ten to twenty percent under budget.

Commissioner Roger Moody commented that the taxpayers are feeling stressed about the economy and any new construction. Anything presented to them would have to be extremely well thought through.

Mr. Lichtman stated that the idea of soliciting sites was also that the County can also look at if existing buildings can be renovated or added on to, rather than building on a site.

Commissioner Roger Moody stated that he also wanted to look at what financial resources are available, such as what the County has in reserve funds, forfeiture funds, grants, and EMA grant matches. He stated that the County needs to see what the current and more distant resources are.

Commissioner Anne Beebe-Center asked Commissioner Moody if he was saying that moving forward with this study is premature.

Commissioner Roger Moody replied that he would like to develop some more baseline data, such as square footage, available finances, and calculations for building costs. He added that he would also like to have conversations with nearby counties.

Commissioner Richard Parent asked Commissioner Moody if he was saying that the County is not ready to solicit proposals from individuals for properties.

Commissioner Roger Moody replied that he questioned whether the Lichtman Associates/QA13 would partner with the County on that process or if the County would be approaching it alone.

Commissioner Anne Beebe-Center stated that she appreciated having criteria established before examining sites or giving a response to anyone offering a site for consideration. She suggested postponing making a decision on Mr. Lichtman's proposal until the County has more solid data and have a conversation with the other counties.

Commissioner Richard Parent stated that the County needs to do this soon. He stated that the County has been waiting since May to get to this point. The group working on this would need to get together within the next couple of weeks. The department heads have a good idea of what they need. There needs to be a meeting to establish what the departments needs are. Then, there needs to be a meeting with Mr. Lichtman and compare what he thinks the department heads need to what the department heads want, and see what will and will not work. The County needs to get started getting proposals in so that the process of considering them can get started.

Mr. Lichtman stated that the numbers in the report are not what Lichtman Associates/QA13 thought the County needed for space. They did not guess at numbers. He stated that the department heads were asked what their needs are and that is how Lichtman Associates/QA13 came up with the numbers. The report was a joint effort.

Commissioner Anne Beebe-Center asked if there should be a meeting scheduled within the next three weeks to refine data and then make a decision on the Lichtman Associates proposal at the August Commission meeting.

County Administrator Andrew Hart asked what the Commission wanted done by the August 11<sup>th</sup> Commission meeting.

Commissioner Richard Parent stated that he wanted to get feedback from the department heads as to what they feel their space needs are and then compare it to the report.

Commissioner Anne Beebe-Center asked if this was for all three departments or just EMA and Communications.

Commissioner Richard Parent replied that it should be all three because there may be some sites that work for all three and not just the KRCC and EMA.

County Administrator Andrew Hart asked if the Commission wanted to invite the Dispatch Advisory Board and the Executive Board.

Commissioner Richard Parent asked what those two groups would provide during that discussion.

County Administrator Andrew Hart responded that their main concern is the KRCC since that is their role, and that the two groups have been involved since the beginning. The County needs their support. If they are not involved and do not support the project, the voters will vote it down.

Commissioner Anne Beebe-Center stated that for the meeting the County will invite the chairs from the Dispatch Advisory Board, the Executive Board, the three department heads, County Administrator Andrew Hart, and the Commission (it would be a Special Commission meeting). She stated that a meeting should try to be scheduled within the next three weeks. She added that another piece to this would be to have conversations with the surrounding counties.

Commissioner Roger Moody stated that first the Commission needed feedback from the first group to have a concept.

Commissioner Anne Beebe-Center stated that this would be on the agenda to be discussed.

There was a brief discussion of some possible dates for the meeting. Each date suggested was discounted as one that would not work.

County Administrator Andrew Hart stated that he would check with the department heads and the chairs of the two dispatch boards to see if they can all attend.

Mr. Lichtman stated that if anyone needed anything from him, to just give him a call.

2. Discuss Surrendering the Airport's Part 139 Certification (J. Northgraves).

Airport Manager Jeff Northgraves stated that he wanted to try to close this discussion since it had been discussed at a prior Commission meeting but a decision had not been made. He stated that his recommendation at the previous Commission meeting was to surrender the airport's Part 139 Certification. He stated that right now, he felt swayed in the other direction because things have changed. He stated that the New England office of the FAA has fought back at the FAA's headquarters' push to be harder on airports. The FAA has since softened their "get tough" policy. He stated that his biggest concern at the time was to make sure documentation of firemen training was up to speed. He stated that he had found out since then that the cost for most fines is \$99,999.00. However, the FAA does not expect it to get to that point. Most airports get fined because the offenses are repeat offenses, or because of the attitudes of the owners of the airports. Currently, three different fire departments provide support to the Knox County Airport. He stated that his recommendation was to vote to keep the certification so that he can relay that information to everyone who needs to know that the airport is maintaining the certification. The staffing plan that the APAC Business Plan sub-committee is working on is based on the assumption that the airport is Part 139 Certified. Some costs would change if the airport surrendered the certification.

Commissioner Anne Beebe-Center asked Mr. Northgraves if he thought that for now it was worth the risk to keep the certification.

Commissioner Richard Parent asked if it would be a hurdle to become certified again if the Commission voted to give it up for now.

Mr. Northgraves stated that as long as the airport kept up with certification requirements, it would not be a lot of work to become re-certified. However, there are some negatives to not being certified anymore, including the possibility that since the airport would no longer be required to do certain tasks if not certified, the tasks might not get done, and then it would be a lot more of a process to become certified again later. He added that giving up the certification sends a negative message.

Commissioner Roger Moody commented that Cape Air's contract expires in about a year. He asked if retaining the Part 139 Certification would maintain the County's flexibility to go back to a larger aircraft if the option came up.

Mr. Northgraves stated that this was correct.

Commissioner Roger Moody suggested that the County hang on to the certification at last until the Cape Air contract is up.

- A motion was made by Commissioner Richard Parent to continue the Part 139 Certification for next 18 months and then re-evaluate whether to keep the certification after that. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

3. Discuss Becoming the Fiscal Agent for KWRED (A. Hart).

Commissioner Anne Beebe-Center invited Ann Matlack, chair of the Knox/Waldo Regional Economic Development (KWRED), to come forward. She asked Ms. Matlack to explain what it was that KWRED was asking for.

Ms. Matlack stated that KWRED was no longer part of the Eastern Maine Development Corp. (EMDC) and was looking for a “home”. She stated that KWRED would like to hire a full-time executive director in the future. She added that she did not know if KWRED would become a part of EMDC again in the future. KWRED currently does not have a place to appropriate the funds being received from Knox County, the City of Belfast, the Town of Camden, and the City of Rockland. KWRED is looking for time to evaluate options, rather than taking a leap. Economic Development District. KWRED is asking to talk to Knox County about what the County could provide for economic development support and how that might work. It needs to be determined if such a relationship is in best interest for both the County and KWRED.

Commissioner Anne Beebe-Center commented that KWRED was not asking for space for an employee but for the County to provide the benefits to the employee which will be paid for by KWRED.

Ms. Matlack stated that KWRED does not need an office as there is one in both Camden and Belfast. KWRED needs someone to do their billing and provide access to health benefits.

Commissioner Richard Parent asked, even though the person would not be a County employee, if the person would have the same benefits of being a county employee and use the benefit package that our employees do.

Commissioner Anne Beebe-Center stated that the person would technically be an employee of the County but not supervised by the County.

Ms. Matlack stated that the person would be paid for entirely by KWRED and supervised by KWRED.

Commissioner Roger Moody asked if the County would have a separate fund that KWRED money would go into to pay for the employee.

Ms. Matlack replied that money would be coming in from various directions and be earmarked as money intended to pay for this employee.

Finance Director Kathy Robinson stated that the challenge will be working out what would need to be done in order for the person to get the benefits. The County has to state that the person is a County employee, but the description states that the person will not be a County employee. She stated that the County needed to look at the wording and research it.

Commissioner Anne Beebe-Center stated that it was her understanding that the person would in effect be a County employee and follow all County policies, etc.

Finance Director Kathy Robinson stated that the Sheriff’s Deputy working as the MDEA officer is the same idea, but that contract states that the person is a County employee and that if the relationship dissolves, that person is still a County employee. She asked what would happen if KWRED dissolves tomorrow. She stated that to her this was a different situation. She added that the County does not want to give the impression that County are trying to skirt the rules and give someone benefits that should not have received them.

Ms. Matlack commented that this was uncharted waters for KWRED as well. KWRED has a contract employee until September, so there is still time to work on this. She stated that KWRED would like to provide the new employee with stability.

Commissioner Richard Parent asked if the Commission should seek legal advice.

County Administrator Andrew Hart stated that the County would need a contract with KWRED. He stated that he had called Maine Municipal Employee Health Trust (MMEHT) to see what would be needed for the KWRED person to have health insurance. He added that Somerset County has something similar but they do it more like a stipend and the person is not set up as an employee. According to the MMEHT, if a person is not an employee of the County, they cannot receive employee benefits. The person would either need to be an employee and be subject to the County, or not. There is no way to be half County and half KWRED. It is all or nothing.

Commissioner Richard Parent commented that the person would also be working for other counties. He asked how the person could do that if they are a Knox County employee.

County Administrator Andrew Hart stated that there would have to have a tri-county agreement.

Commissioner Anne Beebe-Center stated that these are discussions that the County and KWRED can have to see how this can work for both entities.

Commissioner Roger Moody asked if KWRED is a 501(c)(3).

Ms. Matlack stated that KWRED is not a 501(c)(3) yet. It is a long process and will take time.

Commissioner Roger Moody asked if there will be some possible legal problems surrounding the benefits issue. To be eligible for benefits the person has to be an employee of the County. He asked how the Mid-Coast Regional Planning Commission (MCRPC) pays their employees.

Ms. Matlack stated that the MCRPC is essentially Eric Galant. She stated that she had not been involved in that discussion with Mr. Galant and members of his board regarding affiliation so she was not aware of how he gets his benefits.

Commissioner Anne Beebe-Center stated that Mr. Galant is already affiliated with the Maine Municipal Association (MMA) because of the MCRPC having a contract with MMA for administrative services, so he has that connection to be able to get benefits. The problem for the County and KWRED will be cash flow. KWRED collects funds from the towns quarterly, but if KWRED does not have the cash flow before the benefits are paid, the County would have to be reimbursed.

Commissioner Richard Parent stated that the County needs to check with the County's insurance provider to see what they would consider to be an employee. The County needs to make sure that everything is clear ahead of time so that something does not happen later and the employee finds out that they would not be covered by the health insurance they were promised.

Finance Director Kathy Robinson stated that when she had been looking at the information about this issue, she thought that she had read that the person would be an employee but that the County would not be responsible for their expenses. She stated that now it sounds like the expenses would be funneled through Knox County as well as the possibility of covering the expenses if KWRED is not receiving the revenue that they were expecting. This would cut into Knox County's surplus.

Commissioner Anne Beebe-Center stated that it was her sense that the County is large enough to provide cash flow even though every cent of the costs KWRED would be responsible for. She added that it is just a matter of timing.

Finance Director Kathy Robinson stated that she did not understand how all this would be listed on the audit report. If KWRED was behind paying the County back at the year end, on the books it would be a loss. Then the County would be dealing with another component, with the tax payers, that does not fit in with how the County is set up right now.

Commissioner Anne Beebe-Center commented that this too would need to be discussed, and that might be the deal-breaker right there.

County Administrator Andrew Hart asked if the MCRPC had left EMDC.

Ms. Matlack replied that it had. The MCRPC voted in May to separate from EMDC in part because of indirect costs, which are astronomical (above 60%). She stated that she believed that Mr. Galant had found a local accountant to do the books and cut checks. The MCRPC is a 501(c)(3). KWRED is hoping to discuss with Mr. Galant about becoming affiliated with MCRPC to access his 501(c)(3) status so that KWRED can receive donations and apply for grants.

County Administrator Andrew Hart asked if Lincoln County had indicated that MCRPC was a separate entity and gave them money.

Commissioner Roger Moody stated that the Lincoln County Economic Development Office (LCEDO) is affiliated with CEI and but physically housed and paid for largely by Lincoln County. He asked if this was an option for Knox County and KWRED.

Finance Director Kathy Robinson stated that there is a lot of risk associated with funneling KWRED funds through the County because there would be an employee that the Commission would not be responsible for or be able to direct in any way, whereas all other employees are responsible to the Commission. This would fall way outside the current reporting structure for

the County. That individual would have one set of goals and then the County has its own goals. The County may need to cut back expenses at some point but that individual may still need to complete whatever goals have been set by KWRED. The agenda of KWRED may not be directed by the Commission, but the money is.

Commissioner Anne Beebe-Center asked if the County could talk about it more and look at other options, including some ways similar to the MDEA contract. She stated that the County needed some time to do research.

Ms. Matlack replied that this discussion was just the beginning and that there was still plenty of time to figure it all out. She stated that Chris Shrum is currently the contract employee serving as executive director through September, but that KWRED cannot afford him as a full-time employee.

Commissioner Anne Beebe-Center asked that Finance Director Kathy Robinson, County Administrator Andrew Hart, and Ms. Matlack do some research on the issues brought up in the discussion.

## **VI. Other Business**

There was a brief discussion about whether a motion needs to be made on an article before a discussion can take place. The Administrative Office will research this issue.

## **VII. Executive Session**

1. Convene in Executive Session to Discuss a Personnel Matter pursuant to 1 M.R.S.A. §405(6)(A).
  - A motion was made by Commissioner Richard Parent to go into executive session pursuant 1 M.R.S.A. §405(6)(A) to discuss a personnel matter. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

The executive session convened at 6:21p.m.

- A motion was made by Commissioner Roger Moody to go out of executive session. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

The executive session concluded at 8:10 p.m.

## **VIII. Adjourn**

- A motion was made by Commissioner Roger Moody to adjourn the meeting. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

The meeting adjourned at 8:11 p.m.

Respectfully submitted,

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Candice Richards

**The Knox County Commission approved these minutes at their regular meeting  
held on September 8, 2009.**

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Anne H. Beebe-Center, Chair – Commissioner District #1

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Richard L. Parent, Jr. – Commissioner District #2

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Roger A. Moody – Commissioner District #3